

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

TIMOTHY L. ARLES,)	
)	
Plaintiff,)	
)	
v.)	No. CIV-09-471-FHS-KEW
)	
MICHAEL J. ASTRUE,)	
Commissioner Social Security)	
Administration,)	
)	
Defendant.)	

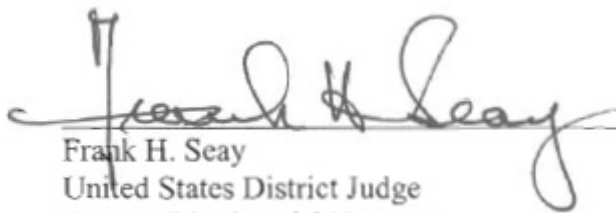
ORDER

On January 27, 2011, the United States Magistrate Judge for this District filed Findings and Recommendations in this case. An objection was filed on February 22, 2011. The plaintiff argues the ALJ failed to make a proper determination at Step 5 of the sequential evaluation process, the ALJ failed to make a proper credibility determination, and the ALJ failed to properly consider the effects of plaintiff's obesity at Step 3 of the sequential evaluation process.

This Court finds the Findings of the Magistrate Judge applied the proper standards and documents numerous references to the record which support the recommendation of the Magistrate Judge that the Commissioner's decision be **sustained**.

Upon consideration of the entire record and the issues herein, this Court finds and orders that the Findings and Recommendations of the United States Magistrate Judge be **SUSTAINED** and adopted by this Court as this Court's Findings and Order.

IT IS SO ORDERED this 23rd day of February, 2011.

A handwritten signature in black ink, appearing to read "Frank H. Seay", written over a horizontal line.

Frank H. Seay
United States District Judge
Eastern District of Oklahoma